

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Mays, Jr.
Appl. No.: 09/851,856 GPAU.: 2633
Filed: 05/09/2001 Examiner: Curs, Nathan M.
Docket No.: MYS-01-02-I09 Conf. No.: 3685
For: Filtering Techniques for Free-Space Interconnects

PETITION TO WITHDRAW AN APPLICATION FROM ISSUE PURSUANT 37
Section 1.313

Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: 703-308-6916

FAX RECEIVED**SEP 29 2005****OFFICE OF PETITIONS**

Sir:

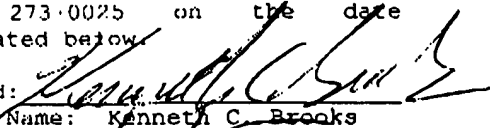
Applicant in above-identified application hereby petitions the application to withdraw from issue to allow additional prior art to be considered. The application was allowed on September 23, 2004 and a Supplemental Notice of Allowability was issued on March 17, 2005. The issue fee was mailed to the United States Patent and Trademark Office on December 8, 2004. Applicant submits herewith a Request for Continued Examination along with authorization to charge the requisite fees, along with an SB08A and SB08B so that additional prior art may be considered. Also included herewith is a Petition Fee Transmittal indicating that the Petition Fee may be charged.

10/03/2005 AKELLEY 00000021 500345 10851856

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Applicant respectfully requests withdrawal of the present application from issuance and that the Request for Continued Examination be entered.

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office facsimile number 571 273-0025 on the date indicated below.

Signed: 
Typed Name: Kenneth C. Brooks

Date: 9/29/05

Respectfully Submitted,



Kenneth C. Brooks
Reg. No. 38,393

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FACSIMILE TRANSMITTAL SHEET

TO:	Office of Petitions	FROM:	Kenneth C. Brooks
COMPANY:	United States Patent & Trademark Office	DATE:	SEPTEMBER 29, 2005
FAX NUMBER:	571-273-0025	TOTAL NO. OF PAGES INCLUDING COVER:	6
RE:	PETITION TO WITHDRAW PATENT APPLICATION NO. 09/851,856		

Please see attached

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SEP 29 2005

OFFICE OF PETITIONS

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PTO/SB/17p (11-04)

Approved for use through 07/31/2007. OMB 0651-0031
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PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL
(Fees are subject to annual revision)Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/851,856
Filing Date	May 9, 2001
First Named Inventor	Mays, Robert J.
Art Unit	31685
Examiner Name	Cecilia Nathan M.
Attorney Docket Number	MYS-1-02-109

Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 50-0345:☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☐ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.**FAX RECEIVED****Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

§ 1.53(e) - to accord a filing date.

§ 1.57(a) - to accord a filing date.

§ 1.182 - for decision on a question not specifically provided for.

§ 1.183 - to suspend the rules.

§ 1.378(a) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.

§ 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

SEP 29 2005

OFFICE OF PETITIONS**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

§ 1.12 - for access to an assignment record.

§ 1.14 - for access to an application.

§ 1.47 - for filing by other than all the inventors or a person not the inventor.

§ 1.59 - for expungement of information.

§ 1.103(a) - to suspend action in an application.

§ 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.

§ 1.295 - for review of refusal to publish a statutory invention registration.

§ 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.

§ 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.§ 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.

§ 5.12 - for expedited handling of a foreign filing license.

§ 5.15 - for changing the scope of a license.

§ 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

§ 1.19(g) - to request documents in a form other than that provided in this part.

§ 1.84 - for accepting color drawings or photographs.

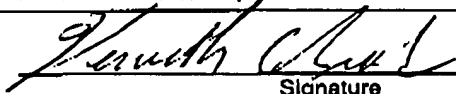
§ 1.91 - for entry of a model or exhibit.

§ 1.102(d) - to make an application special.

§ 1.138(c) - to expressly abandon an application to avoid publication.

§ 1.313 - to withdraw an application from issue.

§ 1.314 - to defer issuance of a patent.



Signature

Kenneth C. Brooks

Typed or printed name

Date
38,393
Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.